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**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

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|--|----------------------|-------------------|
| ADDRESS TO: <b>Box RCE</b><br><b>Assistant Commissioner for Patents</b><br><b>Washington, D.C. 20231</b> | Application No.      | 09/292,217        |
|  | Filing Date          | April 15, 1999    |
|  | First Named Inventor | Gillies           |
|  | Group Art Unit       | 1644              |
|  | Examiner Name        | Roark, Jessica H. |
|  | Attorney Docket No.  | LEX-004           |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTES**

**RCE v. CPA:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.

**FEE AND SUBMISSION REQUIRED:** A submission as used in this section includes, but is not limited to, an information disclosure statement, an amendment to the written description, claims, or drawings, new arguments, or new evidence in support of patentability. If reply to an Office action under 35 U.S.C. 132 is outstanding, the submission must meet the reply requirements of § 1.111 (see 37 C.F.R. 1.114 (c)).

**RCE APPLIES TO:** An application in which prosecution is closed (see 37 C.F.R. § 1.114 (b)).

**RCE DOES NOT APPLY TO:** (1) A provisional application; (2) an application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995; (3) an international application filed under 35 U.S.C. 363 before June 8, 1995; (4) an application for a design patent; or (5) a patent under reexamination (see 37 C.F.R. 1.114(e)).

**1. SUBMISSION REQUIRED UNDER 37 C.F.R. § 1.114**

- a. ☐ Enter and consider the unentered amendment under 37 C.F.R. § 1.116 previously filed on \_\_\_\_.
- b. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_.
- c. ☒ Amendment/Response enclosed.
- d. ☐ Affidavit(s)/Declaration(s) enclosed.
- e. ☐ Information Disclosure Statement (IDS) enclosed.
- i. ☐ PTO-1449
- ii. ☐ Copies of IDS Citations
- f. ☐ Other \_\_\_\_\_

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TECH CENTER 1600/2900**2. RCE FEE REQUIRED UNDER 37 C.F.R. § 1.114**

- a. ☐ Small entity status
- i. ☐ was established in the prior nonprovisional application.
- ii. ☐ is established herewith by the enclosed written assertion of entitlement to small entity status.
- b. ☐ A Petition and Fee for Extension of Time for \_\_\_\_ months up to and including \_\_\_\_ is enclosed herewith.
- c. ☒ A check in the amount of \$750.00 is enclosed.
- d. ☐ The Commissioner is hereby authorized to charge the required fee(s), i.e., \$\_\_\_\_, to Deposit Account No. 20-0531.
- e. ☒ The Commissioner is hereby authorized to credit overpayments or charge any additional fees required for this submission under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 20-0531.

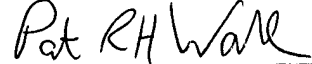
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**3. MISCELLANEOUS**

- a. ☒ Return Receipt Postcard enclosed.  
b. ☒ Other: Fee Transmittal.

| CORRESPONDENCE ADDRESS  | SIGNATURE BLOCK   |
|---|---|
| Direct all correspondence to: Patent Administrator<br>Testa, Hurwitz & Thibault, LLP<br>High Street Tower<br>125 High Street<br>Boston, MA 02110<br>Tel. No.: (617) 248-7000<br>Fax No.: (617) 248-7100 | Respectfully submitted,<br><br><br>Patrick R.H. Waller<br>Attorney for Applicant(s)<br>Testa, Hurwitz & Thibault, LLP<br>High Street Tower<br>125 High Street<br>Boston, MA 02110<br><br>Date: April 2, 2003<br>Reg. No. 41,418<br>Tel. No.: (617) 248-7240<br>Fax No.: (617) 248-7100 |

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PATENT  
Atty. Docket No. LEX-004

#23/F  
Gorgia  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Gillies

SERIAL NUMBER: 09/292,217

GROUP NUMBER: 1644

FILING DATE: April 15, 1999

EXAMINER: Roark, J.

TITLE: ENHANCEMENT OF ANTIBODY-CYTOKINE FUSION  
PROTEIN MEDIATED IMMUNE RESPONSE BY CO-  
ADMINISTRATION WITH ANGIOGENESIS INHIBITOR

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Box RCE  
Commissioner for Patents  
Washington, D.C. 20231

AMENDMENT AND RESPONSE

Sir:

In response to the final Office Action for the above-identified patent application, mailed from the United States Patent and Trademark Office on January 2, 2003, Applicant respectfully submits the following Amendment and Response with a Request for Continued Examination ("RCE").

AMENDMENTS

Please enter the following amendment. In compliance with Rule 1.121, this amendment is presented below with all changes included. Another version of the amended material is attached on a separate page from the amendment and is marked up to show all the changes relative to the previous version of the material.

To the Claims

37. (Amended) The method of claim 36, wherein the antibody binding site further comprises a CH3 domain interposed between the CH2 domain and the interleukin-2.

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